

Peter H. Barlow, #7808
Matthew A. Jones #15792
STRONG & HANNI
9350 South 150 East, Suite 820
Sandy, Utah 84070
Telephone: (801) 532-7080
Facsimile: (801) 596-1508
pbarlow@strongandhanni.com
mjones@strongandhanni.com

Attorneys for Defendant Auto-Owners Insurance Company

IN THE UNITED STATES DISTRICT COURT, STATE OF UTAH
CENTRAL DIVISION

SQUIRE HOLDINGS, LLC DBA STONE
GATE CENTER FOR THE ARTS,

Plaintiff,

vs.

AUTO-OWNERS INSURANCE
COMPANY,

Defendant.

PETITION FOR REMOVAL

Case No. 2:21-cv-00208-DAO

Magistrate Judge: Daphne A. Oberg

Defendant Auto-Owners Insurance Company (“Auto-Owners” or “Defendant”) hereby petitions for removal of the above-captioned action from the Fourth Judicial District Court in and for Utah County, State of Utah to the United States District Court, for the District of Utah, Central Division. By this Petition, Defendant gives notice of the removal of this action. This removal is made pursuant to 28 U.S.C. §§1441 and 1446 and is proper and appropriate based upon the following:

1. On or about March 22, 2021, Defendant was served with a Summons and

Complaint in an action entitled *Squire Holdings, LLC dba Stone Gate Center for the Arts v. Auto-Owners Insurance Company*, in the Fourth Judicial District Court of Utah County, State of Utah. A copy of the Summons and Complaint are attached to this Petition as Exhibit “1”.

2. Plaintiff affirmatively alleged that it is a Utah limited liability company doing business in Utah County, State of Utah. (See Exhibit 1.)

3. Defendant Auto-Owners is a foreign corporation, authorized to conduct business in the State of Utah. It is a Michigan corporation with its principal place of business in Lansing, Michigan.

4. Removal of this action is proper under 28 U.S.C. §1441(b) because this Court has diversity jurisdiction when the Defendant is a foreign corporation based in Michigan and Plaintiff is a Utah limited liability company. Furthermore, in Plaintiffs' Complaint, they allege damages of "at least \$308,628.53" plus "attorney fees, interest and costs." (Ex. 1, Prayer for Relief ¶¶ I, II.)

5. Thus, based on Plaintiff's Complaint, Plaintiff alleged damages in an amount which exceeds the jurisdictional requirement of \$75,000.

6. The Notice of Removal and Petition for Removal are filed within thirty (30) days after the receipt of the Summons and Complaint as required by 28 U.S.C. §1446(b) and removal is proper based on diversity of citizenship of the parties and therefore the requirements of 28 U.S.C. §1441(a) are met.

DATED this 5th day of April, 2021.

STRONG & HANNI

/s/ Peter H. Barlow

Peter H. Barlow

Matthew A. Jones

*Attorneys for Defendant Auto-Owners Insurance
Company*

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of April, 2021, a true and correct copy of the foregoing document was served by the method indicated below, to the following:

Ryan M. Nord
SAGE LAW PARTNERS, LLC
140 North Union Ave., Suite 220
Farmington, Utah 84025
rnord@sagelawpartners.com
Attorney for Plaintiffs

☐ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☒ Email
☐ Overnight Mail
☐ Facsimile
☒ EC/ECF Filing

/s/ Flor Hernandez